

Pilot Program Public Safety Testing Make-Up Examination

This pilot program is designed to explore a new approach to make-up examinations for public safety positions open throughout New Jersey's State and local Merit System agencies. Its content and format are in compliance with NJAC 4A:1-4.3.

Background

The Department of Personnel is faced with a variety of challenges in protecting the security of its examinations. The most perplexing of these are security breaches that involve public safety testing since these positions inherently bear the expectation that appointees will uphold the public trust. Achieving exam security for testing is essential for meeting our constitutional mandate and preserving candidates' trust in the merit system.

The current DOP make-up examination policy allows those with an acceptable excuse to take their make-up examination some time after the administration of the original examination. The make-up examination is identical to the original examination. Since reasons for requesting a make-up examination vary, the time frame for administration of the make-up examination can also vary. Most make-up candidates are tested prior to the formal examination review period. However, those candidates with extended illnesses or who are on military duty may require their make-up exam to be administered a year or more after the original test date. Make-up candidates who pass the examination are then added to the original list, which leads to the realignment of eligible candidates on the list.

We often receive complaints that discussions of test content occur among candidates after a test is held, despite the fact that candidates sign a pledge agreeing not to discuss test content. We also know that test preparation businesses have candidates memorize test questions so that they can reconstruct our public safety examinations. More onerous are reports of outright theft or reproduction and dissemination of test materials. Consequently, there is growing perception that make-up candidates become aware of the test content prior to taking their make-up test. Some allege that candidates feign illnesses just so that they will receive a make-up test. Thus, our policy of using the same test for the make-up examination is viewed by many as giving wrongful advantage to make-up candidates. The New Jersey Supreme Court, in fact, has recently decided a case involving this matter. Clearly, the situation warrants attention as honest and deserving candidates question the integrity of the merit system.

Description of Program

A. The make-up examination process to be pilot tested differs significantly from the current process and is designed to address concerns regarding test security.

1. Make-up examinations will no longer be identical to the test that was administered on the original test date. Rather, the make-up exam will match the content specifications of the original examination as closely as possible.
2. Make-up examinations in most cases would no longer be administered as soon as the make-up candidate is available to take the test. Rather, the make-up examination ordinarily will be administered when the next regularly scheduled examination for the title in question is administered. In some cases, this may be several months. In other cases, it may be a year or longer.
3. The issuance of eligible lists will not be delayed as a result of pending make-up examinations. Further, candidates who pass the make-up examination will be placed on the appropriate eligibility list and considered for prospective appointment only. Make-up candidates will not receive retroactive appointments. Therefore, it is probable that taking a make-up examination will delay an eligible candidate's appearance on a certification for possible appointment.

4. Make-up exams will only be administered by the DOP if the make-up candidate agrees in writing to accept the substitute make-up exam. This does not preclude the make-up candidate from challenging the answer key or the validity of the actual test items. The agreement addresses only the candidate's willingness to accept the make-up examination as a valid substitute for the original examination. If a candidate does not agree to take the alternate form of the examination and accept the content of that exam as appropriate, no make-up test will be administered to that candidate.
 5. Where test booklists (i.e., lists of resources published by the DOP to assist candidates in exam preparation) are involved, it is quite possible that a different booklist will apply to the make-up examination than the booklist that corresponded to the original examination. In those cases, the make-up candidate shall be responsible for any expenses incurred in association with test preparation, such as obtaining study material. Similarly, make-up candidates shall be responsible for any travel expenses associated with taking the make-up examination.
 6. When the reason for the make-up examination request is known by the candidate upon receipt of an examination notification, the make-up request must be submitted in writing to the Department of Personnel within 5 days of receipt of that notification. However, authorization will be given for any entry-level and promotional public safety make-up exams only in cases of:
 - a. Error by the Department of Personnel or appointing authority;
 - b. Death in the candidate's immediate family as evidenced by a copy of the death certificate; or
 - c. Catastrophic illness wherein the candidate has either suffered a life-threatening injury or illness, or requires an extended convalescent period; as evidenced by a doctor's diagnosis and statement, as well as documentation from the candidate's employer noting the candidate's related leave from work.
 - d. Military leave, which will be handled as stated in NJAC 4A:4-2.9 (c).
 - e. Exoneration from pending disciplinary or criminal charges will be handled as stated in NJAC 4A:4-2.9 (d).
- B. Upon approval of the pilot program, the following steps will be initiated:
- i. Announce the Pilot Program to stakeholders (unions, applicable DOP work units, etc.).
 - ii. Revise related public safety exam applications and recruitment information to reflect revisions to make-up policy.
 - iii. Staff training, as applicable.
 - iv. Implement pilot.
 - v. Assess pilot and report recommendations.
 - vi. Rule change(s) as appropriate.
- C. Implementation of this pilot program will be under the direction of the Director of Selection Services. The pilot program coordinator will be assigned by the Director for the duration of the pilot; be responsible for its coordination/implementation; and be considered the contact person for information regarding the pilot.

Individuals Affected by the Program

Those affected by this pilot test are in the public safety community such as, police, fire, corrections, and sheriff's officers. Furthermore, it affects those candidates for both entry-level and promotional examinations.

Duration of the program

The pilot program will be evaluated at 3 and 6 month intervals to determine whether it shall be extended an additional three months. However, in accordance with NJAC 4A:1-4.3, the pilot program will have a maximum duration of one year. The start date is August 18, 2003.